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Filing date: **04/02/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052621
Party	Defendant American Cigarette Company, Inc.
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Submission	Motion to Extend
Filer's Name	F. Richard Rimer, Jr., Esq.
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Signature	/frr/
Date	04/02/2012
Attachments	UNION Motion to Reset Deadlines.pdf (4 pages)(120773 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

N.V. SUMATRA TOBACCO TRADING CO.)	
)	
Petitioner,)	Cancellation No. 92052621
)	(Consolidated)
v.)	
)	
AMERICAN CIGARETTE COMPANY, INC.,)	Reg. No. 2,972,524
)	
Respondent.)	
_____)	

**RESPONDENT’S MOTION TO RE-SET DEADLINES AND
MOTION FOR EXTENSION OF TIME TO RESPOND TO
PETITIONER’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW Respondent American Cigarette Company, Inc. (“Respondent”), pursuant to Fed. R. Civ. P. 6(b), and moves the Trademark Trial and Appeal Board (the “Board”) to re-set the deadlines in this matter and extend the time for Respondent to respond to the Motion for Summary Judgment filed by Petitioner N.V. Sumatra Tobacco Trading Co. (“Petitioner”). In support of this motion, Respondent states the following:

1. On December 1, 2011, Petitioner filed its Motion for Summary Judgment, making Respondent’s opposition deadline December 31, 2011.
2. On December 28, 2011, Respondent filed its Motion for Extension of Time of 30 days, to which Petitioner consented. The Board granted Respondent’s Motion on January 10, 2012, making Respondent’s revised opposition deadline January 30, 2012.
3. On January 30, 2012, Respondent filed a Motion for Extension of Time of 90 days.
4. On February 23, 2012, Respondent’s former attorneys filed a renewed request to withdraw as Respondent’s counsel.

5. On March 2, 2012, the Board entered an order suspending proceedings and giving Respondent until April 1, 2012, to designate new counsel.¹

6. On April 2, 2012, Respondent filed a Notice of Appearance designating Robert A. Angle, F. Richard Rimer, and Katheryn E. Klimko of Troutman Sanders LLP (collectively, “Troutman Sanders”) as its counsel.

7. Given the more than three year history of this litigation and the substantial amount of discovery exchanged between the parties in this matter, Respondent’s new counsel needs adequate time to review and assess the pleadings and discovery materials, determine whether any additional discovery needs to be conducted, prepare a response to Petitioner’s Motion for Summary Judgment, and determine whether any other motions or pleadings need to be filed. Accordingly, Respondent respectfully requests as follows:

(a) Until May 31, 2012, to review and assess the pleadings and discovery materials in this matter and, if necessary, file a motion for leave to reopen discovery;

(b) Until June 30, 2012, to conduct additional discovery (if leave to conduct such discovery is granted); and

(c) Until July 30, 2012, to respond to Petitioner’s Motion for Summary Judgment and file any other pleadings.

Thus, in total, Respondent seeks until July 30, 2012 to respond to Petitioner’s Motion for Summary Judgment.

8. Respondent’s new counsel has conferred by telephone with Petitioner’s counsel to inform them that Respondent would be filing this motion to have the Board re-set the deadlines in this matter and extend the time for ill be filing motions regarding deadlines.

¹ Given that April 1, 2012, fell on a Sunday, the deadline for designating new counsel is actually Monday, April 2, 2012. Trademark Rule 2.196, 37 CFR § 2.196.

WHEREFORE, Respondent requests that the Board re-set the deadlines in this matter, grant Responding an extension of time as set forth above, and set July 30, 2012, as the deadline by which Respondent must respond to Petitioner's Motion for Summary Judgment and file any other pleadings deemed necessary by Respondent.

This 2nd day of April, 2012.

Respectfully submitted,

TROUTMAN SANDERS LLP

By: /raa/

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Attorneys for Respondent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

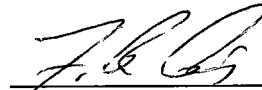
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Petitioner,)	Cancellation No. 92052621
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AMERICAN CIGARETTE COMPANY, INC.,)	Reg. No. 2,972,524
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_____)	

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2012, I caused a true and correct copy of the foregoing
RESPONDENT'S MOTION TO RE-SET DATES AND MOTION FOR EXTENSION OF
TIME TO RESPOND TO PETITIONER'S MOTION FOR SUMMARY JUDGMENT to be sent
by Federal Express overnight delivery and by e-mail to Tara Vold, Counsel for Petitioner, as
follows:

Tara Vold
Fulbright & Jaworski L.L.P.
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
tvold@fulbright.com

This 2nd day of April, 2012.



F. Richard Rimer

Attorneys for Respondent